

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	City of Billings Inner Belt Loop Road Easement
<b>Proposed Implementation Date:</b>	Fall 2013
<b>Proponent:</b>	City of Billings
<b>Location:</b>	E½E½ of Section 18, Township 1 North, Range 26 East (Common Schools Trust)
<b>County:</b>	Yellowstone County

### I. TYPE AND PURPOSE OF ACTION

The City of Billings is requesting a 90' wide easement through the E½E½ of Section 18, T1N, R26E in Yellowstone County for the purpose of constructing a public road and bike/pedestrian trail that would connect Wicks Lane with Alkali Creek Road (see attached Exhibit B). The easement request also includes the ability to install underground water, sanitary sewer and storm sewer lines at some point in the future, as they are not proposed with the current project. Additionally, the city will install man gates on both the north and south sides of the easement at the drive approach locations near the east section line. This road is the first phase of a larger project that will eventually connect with Zimmerman Trail at its intersection with Montana Highway 3. In 2006, HKM Engineering completed a planning study for the City that analyzed various routes for this road, termed the Inner Belt Loop, and recommended a preferred route. The road is expected to ultimately function as an arterial street and provide connectivity from the Billings Heights to the west end of Billings without having to travel through downtown. This current phase is in the most recent City of Billings Capital Improvements Plan with the construction funds budgeted for FY13. The easement would encumber 2.803 acres of Trust land, but would have the potential of making development more attractive on the Trust land. The subject property is located adjacent to the existing city limits and portions of the property have water and sanitary sewer nearby due to recent residential development.

The future phases of this road, connecting to Zimmerman Trail on the west, will require easements on two other Trust land parcels, one of which is currently landlocked and the other which has walk-in access only from Rehberg Ranch Estates Subdivision (see attached Exhibit A).

### II. PROJECT DEVELOPMENT

#### 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

*Provide a brief chronology of the scoping and ongoing involvement for this project.*

No formal public scoping was performed by DNRC for this proposed project. The Inner Belt Loop has been the subject of numerous public meetings during the process of determining the preferred route and also as the Billings City Council discussed funding options for road construction. A Settlement of Damages form was obtained from the grazing lessee.

#### 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

None.

#### 3. ALTERNATIVES CONSIDERED:

**Proposed Alternative:** Approve the request to issue a 90' wide easement to the City of Billings for the purpose of constructing a public road, bike/pedestrian trail and underground water, sanitary sewer and storm sewer lines.

**No Action Alternative:** Deny the request to issue a 90' wide easement to the City of Billings for the purpose of constructing a public road and bike/pedestrian trail and underground water, sanitary sewer and storm sewer lines.

### III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

#### 4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

The proposed easement route comes off the top of the Rimrocks and goes west through the Trust land and gradually declines until it connects to Alkali Creek Road. The easement route runs through a coulee that runs from east to west on the Trust land and provides the most logical location for the proposed roadway. The easement is generally centered along the quarter section line between the SE¼SE¼ and NE¼SE¼ of Section 18. The soils in the easement area are generally well-drained loams. The location of the easement was chosen along this drainage due to the relatively gentle slope down to Alkali Creek. The route also avoids the Rimrock formations which have less stable geology to construct roads on and they generally have a low amount of topsoil before hitting sandstone which increases construction costs. No significant impacts to geology and soil quality, stability and moisture are expected as a result of implementing the proposed action.

#### 5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

The proposed project will be located adjacent to an intermittent drainage that feeds into Alkali Creek. The roadway will have two points where it will discharge stormwater into this drainage. The City or their contractor will have to receive a stormwater runoff permit from the Montana DEQ for the construction phase of the project. The drainage that the stormwater will be discharged into is well vegetated and the discharge is not expected to cause a significant degradation of the water quality in Alkali Creek. The City has also included underground water, sanitary sewer and storm sewer lines as allowed uses within the easement and at some point in the future there could be extensions of these utilities in this right-of-way. No significant adverse impacts to water quality, quantity or distribution are expected from implementing the proposed action.

#### 6. AIR QUALITY:

*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

The proposed action would construct less than one mile of new road and would provide an alternate connection to Alkali Creek Road from the area in the far northwest portion of the Billings Heights that includes Skyview High School. Construction of the new road is not expected to cause a significant overall increase in traffic, but will alter existing traffic patterns. The project will also construct a bike/pedestrian path in the easement concurrent with the roadway construction. No significant adverse impacts to air quality are expected from implementation of the proposed action.

#### 7. VEGETATION COVER, QUANTITY AND QUALITY:

*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

The construction of the roadway and bike path will impact less than 3 acres of vegetation on the Trust land. No significant adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

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## 8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

A variety of big game (antelope and deer), small mammals, raptors and songbirds may traverse this area. The antelope, especially, in this area of Billings are extremely habituated to the presence of humans and while the construction of a new road may cause some alterations to their habitat and travel corridors, there are still vast areas of land in the area that can be used for habitat that does not currently have any development on it. No significant impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

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## 9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

A proposed project area search of the Montana Natural Heritage Program database identified nine vertebrate animals that are listed as a species of concern or threatened species: Greater sage-grouse, Burrowing Owl, Pinyon Jay, Spotted Bat, Black-tailed Prairie Dog, Greater Short-horned Lizard, Common Sagebrush Lizard, Western Hog-nosed Snake and Milksnake.

**Greater sage-grouse** have been observed in this general area; however the closest lek identified was over 2.75 miles northwest of the proposed easement. The area around Billings is not in the sage-grouse core area that has been identified by Montana Fish, Wildlife and Parks. The property does contain limited areas of sagebrush; however, the route proposed for the road does not impact any significant sagebrush stands and is located on a side hill that would not be conducive to lekking. No significant impacts are anticipated.

**Burrowing Owl** is listed as a species of concern and has been observed approximately 1.5 miles north of the proposed project area near a prairie dog town. The subject Trust land does not contain habitat that is suitable for nesting, but they may forage or traverse the Trust land. No significant impacts are anticipated.

**Pinyon Jay** is listed as a species of concern and has been observed in the general area around the proposed project, but not on the Trust land. No significant impacts are anticipated.

**Spotted Bat** is listed as a species of concern. The road is proposed to run through a coulee that has cliffs and outcroppings less than ¼ mile away on both the north and south sides and that is their preferred habitat. The Spotted Bat could traverse or forage through the subject site and they may roost outside the project area in the surrounding cliffs and outcroppings. No significant impacts are anticipated since the proposed project is not directly impacting any cliffs or outcroppings.

**Black-tailed Prairie Dog** is listed as a species of concern and a town has been identified approximately 1.5 miles north of the project site. Since the proposed project area does not contain an active town, no significant impacts to the black-tailed prairie dog are expected.

**Greater Short-horned Lizard** is listed as a species of concern. The proposed easement area has fewer of the characteristics of the preferred habitat of the greater short-horned lizard than other surrounding areas. The project area is in a coulee so it is wetter and has more cover than areas up on top of the rimrocks that are more arid and have less dense grass stands. The Montana Field Guide shows their Montana range as the eastern 2/3rds of the state, essentially the portion of the state east of the Rocky Mountain Front. The proposed action is not expected to have a significant effect based on its extensive range.

**Common Sagebrush Lizard** is listed as a species of concern. The proposed easement area has few characteristics that are desirable for the common sagebrush lizard habitat. The Montana Field Guide shows an extensive range, that runs roughly east and south of the Missouri River. The proposed action is not expected to have a significant effect based on its extensive range and the relatively small easement area.

**Western Hog-nosed Snake** is listed as a species of concern. The habitat for the western hog-nosed snake is not well defined; however their year-round range includes most of the state east of the Rockies, so it is possible that they may be on the subject property. Any impact of this proposed action will be minimal in comparison to their entire range.

**Milksnake** is listed as a species of concern. The proposed easement area has some characteristics that are common for milksnake habitat. The Montana Field Guide shows an extensive range, that runs roughly east and south of the Missouri River. The proposed action is not expected to have a significant effect based on its extensive range and the relatively small easement area.

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#### **10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

A Cultural Resource Inventory was conducted by Ethnoscience and a report on the findings was prepared in May of 2005. This inventory was done as part of the feasibility study that looked at the different routes for the Inner Belt Loop and this data was used to exclude some segments that could have had impacts to cultural resources. The proposed route through the Trust land does not impact any cultural resources that were identified in the report. Therefore, no significant adverse impacts to historic or archaeological sites are expected as a result of implementing the proposed alternative.

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#### **11. AESTHETICS:**

*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

The proposed action would result in the construction of a new two-lane road and bike/pedestrian path across the Trust land. This will certainly change the character of the tract that is predominantly used for grazing and will certainly increase the noise levels on the tract with the new traffic. This tract does have multiple overhead power lines that cross it which are as or more detrimental to aesthetics than the proposed easement. This parcel also adjoins the Billings City limits and the area around it has been building out over the last 5-10 years, so the new road will not be out of character with the urbanizing nature of the surrounding area. Therefore, no significant adverse impact to aesthetics is expected as a result of implementing the proposed alternative.

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#### **12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

No significant adverse impacts to environmental resources of land, water, air or energy are expected to occur as a result of implementing the proposed alternative.

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#### **13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

The Southern Land Office has discussed preparing a land use plan for this Trust land parcel and ultimately looking at some type of urban development on it. However, the parcel is very constrained with the overhead power lines that crisscross it which make it less desirable for residential development. If a use other than the current grazing lease is pursued, a separate environmental review will need to be prepared to evaluate that specific proposal.

The current project is the first of two phases of this roadway extension. The second phase will require a separate environmental review once an easement application is submitted. The second phase is multiple years in the future and its timing is mainly dependant on the availability of funding.

#### IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

##### 14. HUMAN HEALTH AND SAFETY:

*Identify any health and safety risks posed by the project.*

Implementation of the proposed project will allow for the construction of a new road that would connect the Billings Heights to Alkali Creek and help disperse traffic and allow for an additional emergency ingress/egress from this neighborhood. No significant adverse impacts to human health and safety are expected to occur as a result of implementing the proposed alternative.

##### 15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

*Identify how the project would add to or alter these activities.*

The location of the easement does not traverse any crop lands. No significant adverse impacts to industrial, commercial and agricultural activities and production are expected to occur as a result of implementing the proposed alternative.

##### 16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

The proposed action is not expected to have a significant impact on the quantity and distribution of employment.

##### 17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

The proposed action will not have an adverse impact on tax revenue.

##### 18. DEMAND FOR GOVERNMENT SERVICES:

*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services*

The implementation of the proposed alternative will generate an incremental demand on governmental services since it will result in the construction of a new road. However, the request has been submitted by the City of Billings and any increase in demand for services will fall back on the city.

##### 19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

The Trust land is zoned Agricultural-Open Space by Yellowstone County and the proposed action would not be in conflict with the zoning. Additionally, the proposed action is supported by the Billings Urban Area Transportation Plan and the 2006 Inner Belt Loop Connection Planning Study. Implementation of the proposed alternative will not conflict with any locally adopted plans.

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**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**

*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

The subject Trust land parcel is currently closed to recreational use due to past problems with illegal motorized vehicle use. The Southern Land Office Area Manager has discussed lifting the closure prior to the completion of the road, most likely with some restrictions on firearm discharge due to the proximity of houses to the northern portion of this tract. Additionally, the City will install man gates on both sides of the easement near new drive approaches that will be constructed towards the east section line. These man gates will allow walk-in access to the tract. It is expected that there will be some demand for use of the property due to the location of the bike-pedestrian path in the easement, as well as the proximity of the walk-in entry points to High Sierra Park, which is approximately ¼-mile to the east. The implementation of the proposed alternative will have a positive impact on the recreational use of this Trust land by allowing for it to be opened for recreational use.

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**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

The proposed action is not expected to have an immediate impact on the distribution of population. However, if the second phase of the project is built that connects to Highway 3/Zimmerman Trail; it could open up new areas for development provided that city water and sanitary sewer are also extended. The areas where both phases of the road are proposed are currently grazing lands that do not have residential development. No significant adverse impacts to density and distribution of population and housing are expected to occur as a result of implementing the proposed alternative.

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**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

The proposed alternative will not have a significant adverse impact on cultural uniqueness or diversity.

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**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

The State will benefit by getting a one-time payment of \$8,400 from the City of Billings for the purchase of the easement on this Trust parcel. The Common Schools Trust will be the beneficiary of this payment.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Jeff Bollman, AICP	<b>Date:</b> 3 January 2013
	<b>Title:</b> Area Planner, Southern Land Office	

## V. FINDING

### 25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a 90' easement be granted to the City of Billings for the purpose of constructing a public road and bike/pedestrian trail that would connect Wicks Lane with Alkali Creek Road. The easement request also includes the ability to install underground water, sanitary sewer and storm sewer lines at some point in the future. Additionally, the city will install man gates on both the north and south sides of the easement at the drive approach locations near the east section line. The 2.803 acre easement is located in the E½E½ of Section 18, T1N, R26E in Yellowstone County.

### 26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust lands listed above are minimal based on the above analysis and the nature of the proposed action. There are no natural features that are expected to be impacted and produce adverse impacts if the proposed action is implemented.

### 27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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EIS

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More Detailed EA

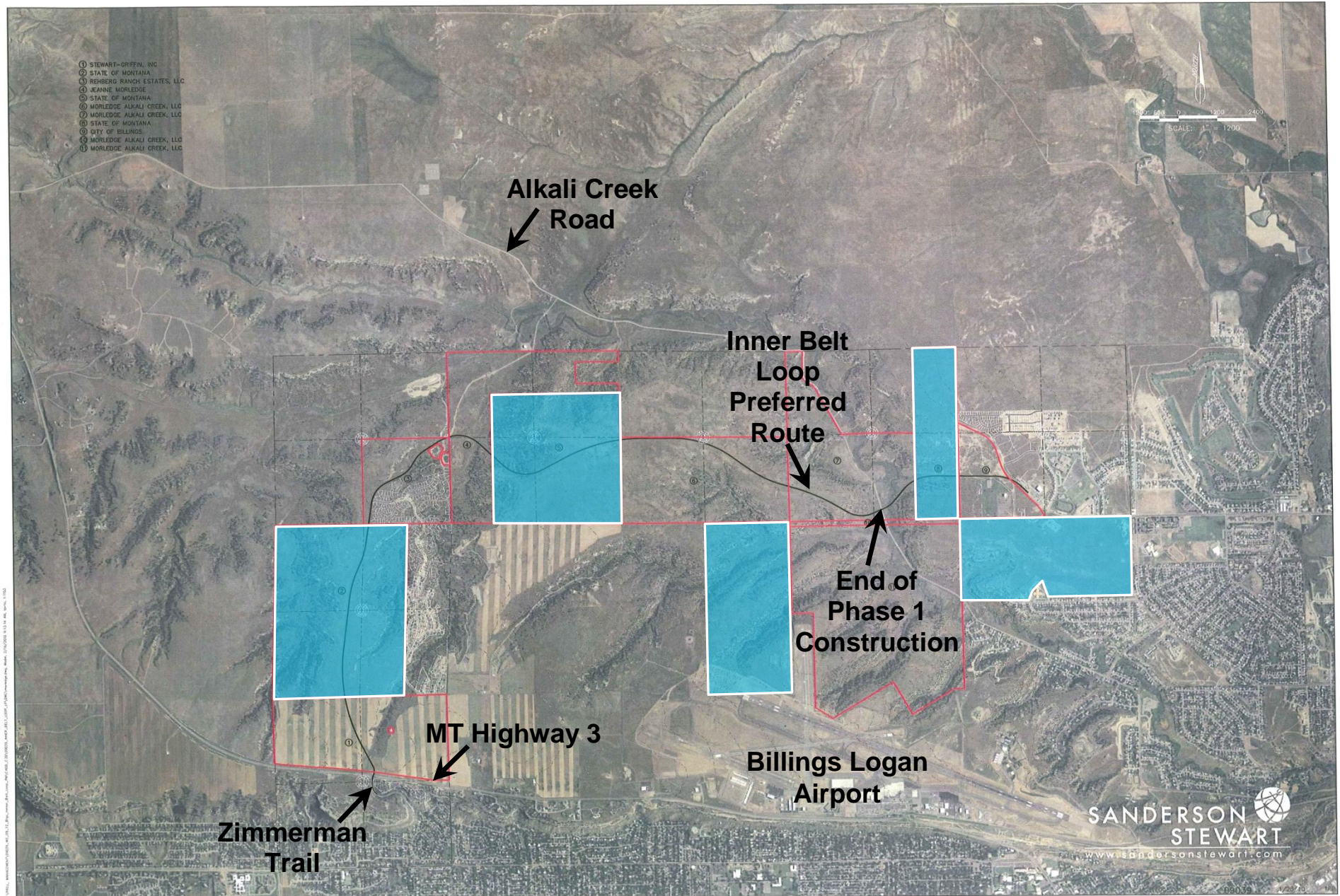
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No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b>	Gary Brandenburg
	<b>Title:</b>	Land Use Specialist, Southern Land Office
<b>Signature:</b> /s/ Gary Brandenburg		<b>Date:</b> 1-4-13



## Attachment A – Inner Belt Loop Preferred Route Location





## Attachment B – Inner Belt Loop Phase 1 Site Plan

